

Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Columbia Gas Transmission Corp.	Registration No.	20157
Facility Name:	Columbia Gas Transmission Corp. - Gala Compressor Station	AIRS ID Number:	51-023-0009
Facility Location:	Botetourt County, Virginia	Permit Number:	VA-20157

May 19, 2004
Effective Date

May 18, 2009
Expiration Date

Robert G. Burnley	Signature Date
Director, Department of Environmental Quality	

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I. Facility Information

Permittee

Columbia Gas Transmission Corp.
P.O. Box 1273
Charleston, West Virginia 25325-1273

Responsible Official

C.F. Montgomery
Manager - Field Services

Facility

Columbia Gas Transmission Corp.
Gala Compressor Station
State Road 220
Botetourt County, Virginia

Contact Person

Gregory Lago
Environmental Health and Safety
Coordinator
304/357-2079

Registration Number: 20157

AFS Identification Number: 51-023-0009

Facility Description: SIC Code 4922 – The facility is a natural gas pipeline compressor station. Natural gas is received via gas pipelines from an upstream compressor station, compressed and pumped into outlet pipes for transmission to a downstream station. The station has the potential to operate seven days per week, 24 hours per day.

The natural gas is compressed using two White-Superior 8GTLA reciprocating engines with design ratings of 1,100 hp each and one Superior 16SGTB reciprocating engine rated at 2,650 hp. On-site auxiliary equipment includes one emergency generator rated at 221 hp, one 25 hp air compressor, two heating system boilers rated at 1.95 MMBtu/hr and 0.85 MMBtu/hr and two line heaters rated at 2 MMBtu/hr and 0.45 MMBtu/hr. Fugitive emissions consist of small quantities of natural gas released through valves, seals and compressor blowdowns.

NSPS Subpart GG applies to gas turbines and since there are no turbines at the facility, this NSPS is not applicable to the facility.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control	Applicable Permit Date
01203	E03	White-Superior 8GTLA Reciprocating Engine/Compressor; installed 1983	1,100 hp 10.2 MMBtu/hr	n/a	April 22, 1983
01204	E04	White-Superior 8GTLA Reciprocating Engine/Compressor; installed 1983	1,100 hp 10.2 MMBtu/hr	n/a	April 22, 1983
01205	E05	Superior 16SGTB Reciprocating Engine/Compressor; installed 1997	2,650 hp 24.5 MMBtu/hr	n/a	July 2, 2001
012G1	G1	Waukesha F11GSI Reciprocating Engine/Generator; installed 1993	221 hp 2.6 MMBtu/hr	n/a	Sept. 23, 1993

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. White-Superior 8GTLA Reciprocating Engines/Compressors - Emission Units #01203 and 01204

A. Limitations

- Emissions from each White-Superior Reciprocating Engine/Compressor will be maintained by using engine speed as a control variable that automatically adjusts the air/fuel ratio and ignition system. A change in the mode of operation may require a permit to modify and operate.
(9 VAC 5-80-110 and April 22, 1983 Permit)
- The approved fuel for each White-Superior Reciprocating Engine/Compressor is natural gas. A change in fuel may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition 8 of April 22, 1983 Permit)
- Each White-Superior Reciprocating Engine/Compressor shall consume no more than 71 MMscf of natural gas per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 and Conditions 2,3 of April 22, 1983 Permit)
- Emissions from each White-Superior Reciprocating Engine/Compressor shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	4.4 lbs/hr	19.1 tons/yr
Volatile Organic Compounds	3.7 lbs/hr	15.9 tons/yr

(9 VAC 5-50-260, 9 VAC 5-80-110, and Conditions 2, 3 of April 22, 1983 Permit)

5. Visible Emissions from each White-Superior Reciprocating Engine/Compressor stack shall not exceed 20 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-50-80, 9 VAC 5-80-110, 9 VAC 5-50-290 and Condition 4 of April 22, 1983 Permit)

B. Monitoring and Recordkeeping

1. Operation & Maintenance Procedures - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to each White-Superior Reciprocating Engine/Compressor:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance for the air pollution control equipment.
- b. Have available written operating procedures for all air pollution control equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum, if such recommendations exist.
- c. Train operators in the proper operation of the air pollution control equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance, inspections and training shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.
(9 VAC 5-80-110, 9 VAC 5-50-20 E and Conditions 9, 10 of April 22, 1983 Permit)

2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:

- a. The annual throughput of natural gas in million cubic feet for the White-Superior Reciprocating Engine/Compressors. The annual throughput shall be calculated monthly as the sum of each consecutive twelve-(12) month period.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50 and 9 VAC 5-80-110)

C. Testing

1. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC Content	EPA Methods 24, 24a
NO _x	EPA Method 7
VOC	EPA Methods 18, 25, 25a
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

D. Reporting

n/a

IV. Superior 16SGTB Reciprocating Engine/Compressor – Emission Unit #01205

A. Limitations

1. Nitrogen oxide and volatile organic compound emissions from the Superior 16SGTB Reciprocating Engine/Compressor shall be controlled by low-emissions combustion using Clean-Burn technology.
(9 VAC 5-80-110 and Condition 4 of July 2, 2001 Permit)
2. The approved fuel for the Superior 16SGTB Reciprocating Engine/Compressor is natural gas. A change in fuel may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition 5 of July 2, 2001 Permit)
3. The Superior 16SGTB Reciprocating Engine/Compressor shall consume no more than 212 MMscf of natural gas per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 and Condition 7 of September 23, 1993 Permit)
4. Emissions from the operation of the Superior 16SGTB Reciprocating Engine/Compressor shall not exceed the limits specified below:

Particulate Matter	0.8 lbs/hr	3.1 tons/yr
PM-10	0.8 lbs/hr	3.1 tons/yr
Nitrogen Oxides (as NO ₂)	10.1 lbs/hr	38.4 tons/yr

Carbon Monoxide	10.8 lbs/hr	40.9 tons/yr
Volatile Organic Compounds	4.0 lbs/hr	15.4 tons/yr

(9 VAC 5-50-260, 9 VAC 5-80-110, and Condition 10 of July 2, 2001 Permit)

5. Visible Emissions from the Superior 16SGTB Reciprocating Engine/Compressor stack shall not exceed 5 percent opacity except for one six-minute period in any one hour of not more than 10 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-50-20, 9 VAC 5-80-110 and Condition 11 of July 2, 2001 Permit)

B. Monitoring and Recordkeeping

1. Operation & Maintenance Procedures - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to the Superior 16SGTB Reciprocating Engine/Compressor:
 - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
 - b. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.
 - c. Have available written operating procedures for all air pollution control equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum, if such recommendations exist.
 - d. Train operators in the proper operation of any air pollution control equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance, inspections and training shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.
(9 VAC 5-80-110, 9 VAC 5-50-20 E and Conditions 17, 18 of July 2, 2001 Permit)
2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:
 - a. The annual throughput of natural gas for the Superior 16SGTB Reciprocating Engine/Compressor. The annual throughput shall be calculated monthly as the

sum of each consecutive twelve-(12) month period.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50 and 9 VAC 5-80-110 and Condition 13 of July 2, 2001 Permit)

C. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30, 9 VAC 5-80-110 and Condition 6 of July 2, 2001 Permit)
2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC Content	EPA Methods 24, 24a
NO _x	EPA Method 7
VOC	EPA Methods 18, 25, 25a
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

D. Reporting

n/a

V. Waukesha F11GSI Reciprocating Engine/Generator - Emission Unit #012G1

A. Limitations

1. The approved mode of operation for the Waukesha Reciprocating Engine/Generator is normal (best economy). A change in the mode of operation may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition 4 of September 23, 1993 Permit)
2. The approved fuel for the Waukesha Reciprocating Engine/Generator is natural gas. A change in fuel may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition 3 of September 23, 1993 Permit)
3. The Waukesha Reciprocating Engine/Generator shall not operate more than 1,000 hours per year.
(9 VAC 5-80-110 and Condition 6 of September 23, 1993 Permit)

4. The Waukesha Reciprocating Engine/Generator shall consume no more than 1.695MMscf of natural gas per year, calculated monthly as the sum of each consecutive twelve-(12) month period.
(9 VAC 5-80-110 and Condition 5 of September 23, 1993 Permit)
5. Emissions from the operation of the Waukesha Reciprocating Engine/Generator shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	6.9 lbs/MMBtu	14.0 lbs/hr	7.0 tons/yr
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(9 VAC 5-80-110, and Condition 8 of September 23, 1993 Permit)
6. Visible Emissions from the Waukesha Reciprocating Engine/Generator stack shall not exceed 5 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-50-80 and 9 VAC 5-80-110, 9 -VAC 5-50-290 and Condition 7 of September 23, 1993 Permit)

B. Monitoring and Recordkeeping

1. Operation & Maintenance Procedures - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to the Waukesha Reciprocating Engine/Generator:
 - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance for the Waukesha Reciprocating Engine/Generator.
 - b. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.
 - c. Train operators in the proper operation of the Waukesha Reciprocating Engine/Generator and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.
Records of maintenance, inspections and training shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.
(9 VAC 5-80-110, 9 VAC 5-50-20 E and Condition 13 of September 23, 1993 Permit)
2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Regional Office. These records shall include, but are not limited to:

- a. The annual throughput of natural gas for the Waukesha Reciprocating Engine/Generator. The annual throughput shall be calculated monthly as the sum of each consecutive twelve-(12) month period.
- b. The number of hours of operation of the Waukesha Reciprocating Engine/Generator.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-80-110 and Condition 9 of September 23, 1993 Permit)

C. Testing

1. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
NO _x	EPA Method 7
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

D. Reporting

n/a

VI. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted	Rated Capacity
012A1	Waukesha n. gas air compressor	9 VAC 5-80-720 C	NO _x , CO, VOC	25 hp
BLR1	Boiler #1, n. gas	9 VAC 5-80-720 C	NO _x , CO, VOC	1.95 MMBtu/hr
BLR3	Boiler #3, n. gas	9 VAC 5-80-720 C	NO _x , CO, VOC	0.85 MMBtu/hr
HTR1	n. gas line heater #1	9 VAC 5-80-720 C	NO _x , CO, VOC	2.0 MMBtu./hr
HTR2	n. gas line heater #2	9 VAC 5-80-720 C	NO _x , CO, VOC	0.45 MMBtu/hr
A06	lube oil tank	9 VAC 5-80-720 B	VOC	120 gallons
A10	used oil tank	9 VAC 5-80-720 B	VOC	550 gallons
A11	pipeline liquids tank	9 VAC 5-80-720 B	VOC	1,000 gallons
A12	used glycol tank	9 VAC 5-80-720 B	VOC	1,200 gallons
A14	glycol tank	9 VAC 5-80-720 B	VOC	1,200 gallons
A15	lube oil tank	9 VAC 5-80-720 B	VOC	550 gallons
FUG	fugitive emissions (equipment leaks and blowdowns)	9 VAC 5-80-720 B	VOC	n/a

These insignificant emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

VII. Compliance Plan

Not Applicable

VIII. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
n/a	n/a	n/a

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

IX. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C & F, 9 VAC 5-80-110 D & 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9 VAC 5-80-110 F)
3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G. (Note that much of the recordkeeping required by this permit also serves as required periodic monitoring to determine emissions compliance and therefore needs to be addressed in the periodic reports.) The details of the reports are to be arranged with the Director, West Central Regional Office. The reports shall include:
 - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
 - b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:
 - (1) Exceedance of emissions limitations or operational restrictions;
 - (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
 - c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."
 - d. The report shall be sent to the following address:

Virginia DEQ, West Central Regional Office
3019 Peters Creek Road
Roanoke, VA 24019
Attn: Air Compliance Manager

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and to DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

This annual compliance certification shall be sent to the following addresses:

Virginia DEQ, West Central Regional Office
3019 Peters Creek Road
Roanoke, VA 24019
Attn: Air Compliance Manager

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, West Central Regional Office, within four (4) daytime business hours after discovery of any deviations from permit requirements which

may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3 of this permit.
(9 VAC 5-80-110 F.2 & 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after a deviation is discovered from permit requirements, notify the Director, West Central Regional Office, by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within two weeks provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, West Central Regional Office.
(9 VAC 5-20-180 C and 9 VAC 5-80-250)

G. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9 VAC 5-50-20 E, 9 VAC 5-40-20 E)

H. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

- a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
 - d. The permittee notified the board of the malfunction within two working days following the time when the emissions limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. The notice fulfills the requirement of 9 VAC 5-80-110 F.2. b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirements under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
 4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.
(9 VAC 5-80-250)

I. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.
(9 VAC 5-40-90 & 9 VAC 5-50-90)

J. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)

K. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)

L. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

M. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9 VAC 5-80-190 and 9 VAC 5-80-260)

N. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

O. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine

compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

P. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H & 9 VAC 5-80-340 C)

Q. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.
(9 VAC 5-80-110 J)

R. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

S. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

T. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

U. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.

(9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C & 9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).

(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with

the requirements of 40 CFR Part 68.
(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.
(9 VAC 5-80-110 I)

X. State-Only Enforceable Requirements

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

A. State toxics rule

1. The Superior 16SGTB Reciprocating Engine/Compressor shall consume no more than 212 MMSCF of natural gas per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 and Condition 23 of July 2, 2001 Permit)

2. Emissions from the operation of the Superior 16SGTB Reciprocating Engine/Compressor shall not exceed the limits specified below:

Formaldehyde	1.0 lbs/hr	4.4 tons/yr
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(9 VAC 5-50-260, 9 VAC 5-50-180 and Condition 25 of July 2, 2001 Permit)

3. The permittee shall maintain records of the yearly throughput of natural gas to the Superior 16SGTB Reciprocating Engine/Compressor, calculated monthly as the sum

of each consecutive 12-month period.
(9 VAC 5-80-110 N, 9 VAC 5-80-300 and Condition 26 of July 2, 2001 Permit)